

EXHIBIT A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Case No. 3:17-cv-00939-WHA

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.; OTTOMOTTO

LLC; OTTO TRUCKING LLC,

Defendants.

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HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF CRAIG CLARK

FRIDAY, DECEMBER 22, 2017

Reported by:

Kelli Ann Willis, RPR, CRR

JOB No. 2780742

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1 Q. How many such discussions? 12:16:26

2 A. I don't know. Twenty. 12:16:28

3 Q. And what instructions did you give 12:16:29

4 employees regarding when to use a particular 12:16:31

5 communications platform as opposed to another 12:16:34

6 communications platform? 12:16:36

7 A. If you are -- if you are on legal hold, 12:16:37

8 you can't use ephemeral communications. 12:16:40

9 Q. Is that the only instruction that you ever 12:16:44

10 provided to Uber employees regarding the use of 12:16:46

11 ephemeral communications? 12:16:52

12 A. I don't know. To the best of the 12:16:59

13 recollection, that's the one that sticks out I would 12:17:04

14 tell people. 12:17:06

15 Q. Did you ever instruct employees to use 12:17:09

16 ephemeral communications platforms in order to avoid 12:17:12

17 the retention of such communications? 12:17:16

18 A. Absolutely not. 12:17:18

19 Q. I think I asked you about the retention -- 12:17:38

20 the default retention of UChat, and I think you said 12:17:44

21 you don't know what the default retention period 12:17:47

22 was; is that correct? 12:17:50

23 A. I don't know for sure. It has changed, 12:17:52

24 but I think at one point it was maybe seven days. 12:17:54

25 But I'm not -- but I'm not certain. 12:17:59

C E R T I F I C A T E

STATE OF FLORIDA)

: ss

COUNTY OF MIAMI-DADE)

I, KELLI ANN WILLIS, a Registered
Professional, Certified Realtime Reporter and
Notary Public within and for The State of
Florida, do hereby certify:

That CRAIG CLARK, the witness whose
deposition is hereinbefore set forth was duly
sworn by me and that such Deposition is a true
record of the testimony given by the witness.

I further certify that I am not related
to any of the parties to this action by blood
or marriage, and that I am in no way interested
in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 26th day of December, 2017.



KELLI ANN WILLIS, RPR, CRR